

REMARKS/ARGUMENTS

Claims 1-2, 5-19, 22-36, and 39-54 were pending in the present application. Claims 1-2, 5-19, 22-36, and 39-54 are amended by this Amendment. Support for this Amendment can be found in the original description on at least pages 12-13. No new matter has been added. Accordingly, Claims 1-2, 5-19, 22-36, 39-54 are now pending in the present application. Reconsideration is respectfully requested in view of the amendments to the claims and the following remarks.

Claim Rejections - 35 U.S.C. §101

Claims 1-2, 5-19, 22-36, and 39-54 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Applicant respectfully submits independent claims 1, 18, and 35 were amended to recite hardware components, as well as the functions of the hardware components. Therefore, Applicant believes the rejection is overcome.

Claim Rejections - 35 U.S.C. §103

Claims 1-2, 5-8, 15-19, 22-25, 32-36, 39-42, 49-54 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Banning et al., U.S. Patent No. 5,421,008 (hereinafter, "Banning") in view of "Kaleidoquery: A Visual Query Language for Object Databases" ("Murray") .

Applicant respectfully disagrees and respectfully traverses the rejection. Applicant submits Banning and Murray do not, alone or in combination, disclose, teach or suggest, "wherein an order in which the group is evaluated is controlled in a designated manner" as recited in Independent Claims 1, 18, and 35.

Banning discloses a method, system, and program providing graphical queries and direct manipulations of a database (Abstract, lines 1-3). More specifically, Banning has the ability to turn various modes on and off (including the group node, during which all other modes

become disabled if invoked) [Banning, Col. 31, lines 50-51] Figure 19 displays the ability to change modes, reset modes, and invoke the Group mode. However, there is no teaching or suggestion of controlling the order in which the group is evaluated, as found in the recited invention.

Examiner cited Murray implicitly teaches, “wherein an order in which the group is evaluated is controlled in a designated manner” [08.24.10 Office Action Page 7] Applicant respectfully disagrees. Murray discloses, “The results of the query can then be annotated with numbers showing the order in which they are to be sorted.” [*Emphasis added* -- Murray, page 252, para.; *ordering the results*, lines 9-11] Applicant contends that although Murray utilizes a sorting function to achieve this, there is no teaching or suggestion of “the group is evaluated in a designated manner” as found in the recited invention.

Applicant further submits that the combination of Banning and Murray references produce a method, system, and program for providing graphical queries and direct manipulations of a database wherein a sorting function displays the order in which the query is to be sorted. Therefore, Banning and Murray do not individually or collectively teach or suggest, “wherein an order in which the group is evaluated is controlled in a designated manner.” These features in cooperation with the other elements of Claims 1, 18, and 35 are not disclosed by either Banning or Murray either singly or in combination. Therefore, Applicant respectfully submits Claims 1, 18, and 35 are allowable. Likewise, Claims 2, 5-19, 22-36, and 39-54 are also allowable first because they depend from allowable base claims and also because they are allowable on their own individual merits.

Claims 9-14, 26-31, and 43-48 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Banning in view of Murray, and further in view of Goldberg et al., U.S. Patent Application Publication No. 2005/0004911 A1 (hereinafter, Goldberg).

Claims 9-14, 26-31, and 43-48

Claims 9-14, 26-31, and 43-48 are dependent on independent claims 1, 18, and 35 respectively.

As discussed above, independent claims 1, 18, and 35 are allowable over the teachings of Banning and Murray. Accordingly, claims 9-14, 26-31, and 43-48 are also allowable as being dependent upon allowable base claims. Accordingly, the above-articulated arguments related to amended independent claims 1, 18, and 35 apply with equal merit to claims 9-14, 26-31, and 43-48, which are thus allowable over the combination of Banning, Murray, and Goldberg for at least the same reasons as claims 1, 18 and 35 and are also allowable on their own individual merit.

CONCLUSION

Accordingly, Applicant respectfully requests reconsideration and allowance of all pending Claims 1-2, 5-19, 22-36, 39-54 as they are newly amended and presented. Applicants' attorney believes this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted,
SAWYER LAW GROUP PC

November 24, 2010
Date

/Renee R Reid/
Renee R Reid
Reg. No. 52,159

Customer Number 45728
(650) 493-4540
(650) 493-4549